respondent, the Alabama Division of Rehabilitation Services (ADRS), pursuant to the Randolph-Sheppard Act. ADRS is the SLA responsible for the operation of the Alabama vending facility program for blind individuals. The purpose of the program is to establish and support blind vendors operating vending facilities on Federal property. Beginning in May of 1985, Mr. Waldie operated a vending facility located in the Lyster Army Hospital, Fort Rucker, Alabama (Lyster Facility). Mr. Waldie alleged in his complaint that there was a problem with excessively high temperatures in the Lyster Facility. He also raised two other issues regarding facility safety and the sale of tobacco products. In addition, sometime late in 1985 or early in 1986, Mr. Waldie expressed a desire to expand into three buildings that were located near the Lyster Army Hospital building.

Because these issues were not resolved by ADRS to Mr. Waldie's satisfaction, the complainant initiated administrative proceedings under ADRS regulations. On April 11, 1988, pursuant to ADRS rules and regulations, a fair hearing was conducted at Mr. Waldie's request. The decision rendered after the hearing was unfavorable to the complainant who subsequently requested a full evidentiary hearing, which was held on May 26, 1988. The State hearing officer upheld the administrative decision of ADRS in his opinion of August 2, 1988. The hearing officer stated that (1) the record did not indicate that Mr. Waldie had been denied the opportunity to expand his facility; (2) the determination of which product lines are to be sold at a vending facility is a decision to be made by the SLA and the Federal property manager; and (3) the ventilation and air circulation problems are the result of new product lines requiring machines that generate heat. Further, the hearing officer stated that the permit was not violated by the Federal agency, that ADRS had not violated its rules and regulations, and that evidence presented failed to establish a violation of any rule or regulation governing the Business Enterprise Program and did not prove any erroneous application of that program. The SLA's decision was affirmed.

Mr. Waldie requested that the Secretary of Education convene an arbitration panel to review the issues. The arbitration hearing was held on June 27, 1991 and January 28, 1992. Two of the issues, the facility security and sale of tobacco products, were resolved during pre-hearing negotiations.

Arbitration Panel Decision

The panel found that the main issue in this case concerned the question of whether the SLA had improperly dealt with the air circulation and ventilation at the Lyster Facility. After hearing testimony, the panel found that, in fact, the Lyster Facility did not provide proper ventilation. In determining whose responsibility it was to rectify the problem, the panel turned to the concept of satisfactory site as used in the Act and the regulations. Satisfactory site is defined in the Act in 20 U.S.C. 107a(d)(3) and in the regulations in 34 CFR 395.1(q).

The panel set out the two different circumstances under which a vending facility can be established. First, the panel considered 34 CFR 395.30(a), which requires that Federal property managers take all steps necessary to assure that, wherever feasible, one or more vending facilities for operation by blind licensees shall be located on all Federal property. The second circumstance in which the establishment of a vending facility is discussed is in 34 CFR 395.31, which requires that, when a Federal property owner acquires or substantially renovates a property, the Federal property owner is required to provide a satisfactory site for the operation of a vending facility by a blind vendor.

Because the Act and the regulations use the term ''satisfactory site'' only in the latter circumstance, the panel concluded that, if the Lyster Facility was established under the first circumstance, the definition of satisfactory site would not apply. While the panel found that no evidence was submitted at the hearing as to the circumstances under which the Lyster Facility was established, the panel reasoned that, even if the Lyster Facility was established under 34 CFR 395.30, the definition of satisfactory site found in the regulations would apply for two reasons. First, the parties have proceeded since the outset on the assumption that this language applies to the Lyster Facility. Second, the panel noted that both the SLA and the Federal property manager agreed, at the time the permit was issued, that the Lyster Facility constituted a satisfactory site.

The panel concluded that there is a general ongoing obligation on the part of the Federal property manager to provide a satisfactory site. The panel further determined that the Lyster Facility must be properly cooled in order to be considered a satisfactory site.

In recognizing that the Federal agency was not a party to the arbitration proceeding, the panel turned to the responsibilities of the ADRS in ensuring that the vending facility was a satisfactory site. The panel determined that, although the ADRS was not responsible for providing an air conditioning unit, it was obligated to urge the Federal agency to rectify the problem. Consequently, ADRS was directed to use vigorous means, including the use of arbitration under the Act, to compel the Federal property manager to provide sufficient cooling for the Lyster Facility.

In considering the action of ADRS in responding to Mr. Waldie's request for expansion, the panel determined that ADRS has the obligation to reasonably pursue expansion sites for blind vendors and to use reasonable judgment in distributing any of those locations among qualified blind vendors. The panel concluded that ADRS acted reasonably in response to Mr. Waldie's request even though no expansion occurred, notwithstanding the plans to move the vending facility at some future date. Consequently, the panel delayed remedy on the matter for a period of time to determine whether a move of the facility would rectify the situation.

Finally, the panel addressed the issue of retroactive damages and an award of attorney's fees raised by Mr. Waldie. The panel concluded, based on reasoning of the majority opinion in *McNabb* v. *U.S. Department of Education*, 862 F.2d 681 (8th Cir., 1988), that Mr. Waldie was not entitled to retroactive damages under the Act. The panel determined, as well, based on the decision in *Alyeska Pipeline Service* v. *Wilderness Society*, 421 U.S. 240 (1975), that an express provision in the Act was required to award attorney's fees to Mr. Waldie and that no such provision existed in the Randolph-Sheppard Act.

One panel member dissented from the opinion of the majority as to the temperature issue. A second panel member dissented with respect to the expansion issue and the issue of the right of the blind vendor to seek retroactive damages and attorney's fees.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the United States Department of Education.

Dated: June 8, 1995.

Judith E. Heumann,

Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 95–14474 Filed 6–13–95; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Stockpile Stewardship and Management Programmatic Environmental Impact Statement

AGENCY: Department of Energy.

ACTION: Notice of intent.

SUMMARY: The Department of Energy (DOE) announces its intent to prepare a Stockpile Stewardship and Management Programmatic Environmental Impact Statement (SSM PEIS). The end of the Cold War has brought about significant changes in the requirements for the nation's nuclear deterrent, including substantial reductions in the nuclear weapons stockpile. To fulfill its responsibilities for ensuring the safety and reliability of the stockpile without underground nuclear testing, DOE proposes the Stockpile Stewardship and Management Program.

Stockpile Stewardship includes activities required to maintain a high level of confidence in the safety and reliability of nuclear weapons in the absence of underground nuclear testing, and to be prepared to resume nuclear testing if so directed by the President. Stockpile Management activities include dismantlement, maintenance, evaluation, and repair or replacement of weapons and their components in the existing stockpile.

This Notice of Intent, the initial step in the National Environmental Policy Act (NEPA) process, informs the public of the PEIS proposal, announces the schedule for scoping meetings, and solicits public input. Following the scoping period, the Department will prepare and issue an Implementation Plan (IP) to describe the scope of the PEIS, the alternatives that will be analyzed, and the schedule for completing the PEIS.

DATES: Comments on the proposed scope of the SSM PEIS are invited from the public. To ensure consideration in the preparation of the IP, comments must be postmarked by August 11, 1995. Late comments will be considered to the extent practicable. DOE will hold interactive public scoping meetings at sites that may be affected by the proposed action to discuss issues and receive oral and written comments on the scope of the PEIS. These meetings will provide the public with an opportunity to present comments, ask questions, and discuss concerns with DOE officials regarding SSM activities. The locations, dates, and times for these public meetings are included in the Supplementary Information section of this notice, and will be announced by additional appropriate means.

The Department is also requesting federal agencies that desire to be designated as cooperating agencies on the SSM PEIS to contact the Office of Reconfiguration at the address listed below by August 11, 1995.

ADDRESSES: General questions concerning the SSM program can be asked by calling the toll-free telephone number at 1–800–776–2765, or by writing to: Stephen M. Sohinki, Director, Office of Reconfiguration, U.S. Department of Energy, P.O. Box 3417, Alexandria, VA 22302.

As an alternative, comments can also be submitted electronically by using the Federal Information Exchange bulletin board and following the instructions listed below:

Modem: Dial Toll Free (800) 783–3349. Local (301) 258–0953. (Modem parameters set at: '8' data bits, '1' stop bit and 'N' parity at 1200, 2400 or 9600 baud.)

InterNet: Telnet or Gopher to: fedix.fie.com or 192.111.228.33

Hours: Available 24 hours a day. A Help Line, (301) 975–0103, is available weekdays between 8:30 a.m. and 5:00 p.m. EST, except Federal holidays.

Costs: Free, no cost to users. No telephone, registration, access, or downloading fees.

FOR FURTHER INFORMATION CONTACT: For general information on the DOE NEPA process, please contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance, EH–42, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–4600 or 1–800–472–2756.

SUPPLEMENTARY INFORMATION:

Background

In January 1991, the then-Secretary of Energy announced that the Department would prepare a PEIS examining alternatives for the reconfiguration of the Department's nuclear weapons complex (the Complex). The framework for the Reconfiguration PEIS was described in the January 1991 Nuclear Weapons Complex Reconfiguration Study (Reconfiguration Study), a detailed examination of alternatives for the future Complex. Because of significant changes in the world since January 1991, especially with regard to projected future requirements for the United States' nuclear weapons stockpile, the Department concluded in October 1994 that the framework described in the Reconfiguration Study no longer fit current circumstances or supported any realistic proposal for reconfiguration of the Complex (59 FR 54175, October 28, 1994). Contributing factors to that conclusion included public comments at the September-October 1993 Reconfiguration PEIS scoping meetings, the fact that no production of new nuclear weapons types was required for the foreseeable future, budget constraints, and the Department's decision to prepare a separate PEIS on Storage and Disposition of Weapons-Usable Fissile Nuclear Materials (Notice of Intent published June 21, 1994, 59 FR 17344).

As a result of these changed circumstances, the Department separated the previously planned Reconfiguration PEIS into two new PEISs: (1) a Tritium Supply and Recycling PEIS; and (2) a Stockpile Stewardship and Management PEIS. The Draft PEIS for Tritium Supply and Recycling was issued in March 1995 (60 FR 14433, March 17, 1995), public hearings were held in April 1995, and a Final PEIS for Tritium Supply and Recycling is expected in October 1995.

With regard to the SSM PEIS, during the past six months the Department has been developing the new framework to support the SSM program. That resulting framework, described in a DOE report entitled ''The Stockpile Stewardship and Management Program'' (May 1995), is available on the Internet under DOE's Home Page for Defense Programs (www.dp.doe.gov). That document was mailed to individuals who had previously requested information on the SSM program. Other individuals who would like to receive that document can contact the Office of Reconfiguration at the address listed above or by calling the program's toll free number at 1–800–776–2765.

On May 19, 1995, the Department held a pre-scoping workshop with interested members of the public to discuss the framework of the SSM program and the information contained in ''The Stockpile Stewardship and Management Program''. While a wide range of specific issues were discussed during that meeting, general concerns centered on: Future stockpile planning, including the basis for selecting the baseline stockpile size of the future; whether the Department would evaluate a range of stockpile sizes in the PEIS; the relationship between the SSM PEIS and the Department's other Programmatic and Site-Wide EISs; and whether the Department would evaluate underground nuclear testing in the PEIS. Comments received from that pre-scoping workshop have been taken into account in developing this NOI.

Purpose and Need for the SSM Program. Under the Atomic Energy Act of 1954, as amended (42 USC 2011 *et seq.*), DOE is charged with providing

nuclear weapons to support the United States' nuclear deterrent policy. The mission of the DOE nuclear weapons complex is to provide the nation with safe and reliable nuclear weapons and components so that an effective nuclear deterrent can be maintained into the foreseeable future, and to accomplish this in a way that protects the environment and the health and safety of workers and the public.

Recent changes in national security needs have necessitated corresponding changes in the way the Department must meet its responsibilities regarding the nation's nuclear weapons. As a result of international arms-control agreements (the START I treaty and the START II protocol) and unilateral decisions by the United States, the nation's stockpile will be significantly reduced by the year 2003. Consequently, the nation has halted the development of new nuclear weapons, has begun closing portions of the Complex, and is considering further consolidation or downsizing of the remaining elements in the Complex. In addition, the nation is observing a moratorium on nuclear testing and is pursuing a Comprehensive Test Ban Treaty.

However, international dangers remain and, as the President has emphasized, nuclear deterrence will continue to be a cornerstone of the United States' national security policy. Thus, the Department's responsibilities for ensuring the safety and reliability of the nation's nuclear weapons stockpile will also continue for the foreseeable future.

Because of the moratorium on nuclear testing, the termination of new nuclear weapons development and production, and the closure of several production facilities, a new approach to ensure confidence in the stockpile is needed. In announcing the indefinite extension of the nuclear testing moratorium (July 1993), President Clinton reaffirmed the importance of maintaining confidence in the enduring United States nuclear stockpile and the need to ensure that the nation's nuclear deterrent remains unquestioned during a test ban. By Presidential Decision Directive and Act of Congress (Pub. L. 103–160), the Department of Energy was directed to establish a stewardship program to ensure the preservation of the core intellectual and technical competencies of the United States in nuclear weapons in the absence of nuclear testing.

Without nuclear testing, this new approach must rely on scientific understanding and expert judgment to predict, identify, and correct problems affecting the safety and reliability of the stockpile. This program is essential if the nation is to properly safeguard its nuclear weapons and maintain an unquestioned nuclear deterrent.

The SSM program is being developed to meet the challenges involved in ensuring the safety and reliability of the stockpile. Three particular challenges must be met:

- Fully supporting, at all times, the nation's nuclear deterrent with safe and reliable nuclear weapons, while transforming the nuclear weapons complex (laboratories and production facilities) to one that is more appropriate for the smaller stockpile.
- Preserving the core intellectual and technical competencies of the weapons laboratories. Without nuclear testing, confidence in the nation's nuclear deterrent will depend largely on the continued competency of the people who must make the scientific and technical judgments related to the safety and reliability of nuclear weapons.
- Ensuring that the activities needed to maintain the nation's nuclear deterrent are consistent with the nation's arms-control and nonproliferation objectives.

DOE Nuclear Weapons Complex: The current DOE nuclear weapons complex consists of 8 major facilities located in 7 states. Currently, the Complex maintains a limited capability to design and manufacture nuclear weapons; provides surveillance of and maintains nuclear weapons in the stockpile; and retires and disposes of nuclear weapons. Major facilities and their primary responsibilities within the Complex are listed below:

Pantex Plant (Amarillo, Texas)—Dismantles retired weapons; fabricates high explosives components; assembles high explosives, nuclear components, and nonnuclear components into nuclear weapons; repairs and modifies weapons; evaluates and performs nonnuclear testing of nuclear weapons.

Savannah River Site (SRS) (Aiken, South Carolina)—Tritium loading/unloading and surveillance of tritium reservoirs.

Y–12 Plant (Oak Ridge, Tennessee)—Maintains the capability to produce and assemble uranium and lithium components; recovers uranium and lithium materials from the component fabrication process and retired weapons; produces nonnuclear weapon components.

Kansas City Plant (KCP) (Kansas City, Missouri)—Manufactures nonnuclear weapons components.

Lawrence Livermore National Laboratory (LLNL) (Livermore, California)—Conducts research and development of nuclear weapons; designs and tests advanced technology concepts; maintains a weapons design program; maintains a limited capability to fabricate plutonium components; provides safety and reliability assessments of the stockpile.

Los Alamos National Laboratory (LANL) (Los Alamos, New Mexico)—Conducts research and development of nuclear weapons; designs and tests advanced technology concepts; maintains a weapons design program; maintains a limited capability to fabricate plutonium components; provides safety and reliability assessments of the stockpile.

Sandia National Laboratories (SNL) (Albuquerque, New Mexico)—Conducts system engineering of nuclear weapons; designs and develops nonnuclear components; conducts field and laboratory nonnuclear testing; manufactures nonnuclear weapons components; and provides safety and reliability assessments of the stockpile.

Nevada Test Site (NTS) (Las Vegas, Nevada)—Maintains capability to conduct underground nuclear testing and nonnuclear experiments.

SSM Program Foundational Framework. In the SSM program and SSM PEIS, DOE will:

- Emphasize compliance with applicable laws and regulations, and accepted practices regarding industrial and weapons safety; safeguarding the health of Complex workers and the general public; protecting the environment; and ensuring the security of nuclear materials and weapons components.
- Safely and reliably maintain the nuclear weapons stockpile as directed by the President and mandated by Congress.
- Analyze alternatives for configuration of the nuclear weapons complex that are reflective of, and consistent with, policy direction from the Nuclear Posture Review.
- Maximize efficiency and minimize costs associated with the maintenance of the weapons stockpile.
- Maximize the transfer of nonnuclear materials production activities to the private sector.
- Maintain core intellectual and technical competencies in nuclear weapons.
- Sustain confidence in safety and reliability of the stockpile in the absence of underground nuclear testing.
- Minimize the use of hazardous materials and the number and volume of waste streams.

PEIS Decisions. In addition to the PEIS, supporting cost, technical, and schedule studies will be prepared for the SSM program. The PEIS and these other studies will be balanced with

policy and strategic objectives to support the Record of Decision (ROD). The ROD will:

- Identify the future missions of the SSM program; and
- Determine the configuration (facility locations) of the nuclear weapons complex to accomplish the SSM program missions.

Project-specific NEPA documents will be prepared as necessary to implement any programmatic alternatives chosen in the ROD.

An analysis of the sensitivity of the proposed SSM program configuration to a range of hypothetical stockpile sizes will also be performed. DOE expects to use the stockpile size consistent with the START II protocol (approximately 3,500 weapons) as the baseline for the PEIS analysis since this is the current planning guidance for the Department and is consistent with the recently completed Nuclear Posture Review. Upper and lower excursion cases are also expected to be analyzed.

The SSM Program

Stockpile Management. Stockpile Management activities include dismantlement, maintenance, evaluation, and repair or replacement of weapons and weapons components in the existing stockpile. In the past, a large weapons production complex provided the capability and capacity to rapidly fix any problems found in the stockpile. However, the existing production complex may be inefficient and ineffective for a much smaller stockpile. Therefore, one of the primary goals of the Stockpile Management proposal will be to downsize and/or consolidate functions to provide an effective and efficient production capability for the smaller stockpile. The capabilities needed by the Department to carry out its Stockpile Management responsibilities are described below:

Weapons Assembly/Disassembly. Provides the capability to: dismantle retired weapons; assemble high explosives, nuclear components, and nonnuclear components into nuclear weapons; repair and modify weapons; perform weapons surveillance; and store strategic reserves of nuclear components (pits and secondaries).

Nonnuclear Components. Provides the capability to: fabricate nonnuclear components and perform nonnuclear component surveillance.

Nuclear Components. Provides the capability to: fabricate nuclear components; perform nuclear component surveillance; stage and store nuclear materials and components. Alternatives will be assessed for:

Pit Reuse (minor). Nonintrusive modification and recertification of existing pits.

Replacement Pit Fabrication and Reuse (major). Fabrication of replacement pits and/or intrusive modification and recertification of existing pits.

Secondaries and Cases. Fabrication of replacement secondaries and cases.

High Explosives. Provides the capability to fabricate high explosives components and perform high explosives component surveillance.

Stockpile Stewardship. Stockpile Stewardship includes activities required to maintain a high level of confidence in the safety and reliability of nuclear weapons in the absence of underground nuclear testing, and to be prepared to resume testing if so directed by the President. While the nation's nuclear weapons stockpile is currently judged to be safe, secure, and reliable, the average age of the stockpile has never significantly exceeded the current age of 12 to 13 years. Furthermore, very few data exist for weapons older than 25 years. Because the Department cannot predict with certainty when age-related changes affecting weapon safety or reliability will occur, a conservative assumption would be that problems will arise more frequently as the weapons age beyond their original 20- to 25-year design lifetimes.

Historically, nuclear testing has provided unambiguous confidence in the safety and performance of weapons in the stockpile. Without underground nuclear testing, the Department must rely on experimental and computational capabilities, especially in weapons physics, to predict the consequences of the complex problems that are likely to occur in an aging stockpile.

Enhanced aboveground experimental and computational capabilities are needed to assess and predict the consequences of these problems. An improved science-based program with enhanced experimental and computational capabilities is necessary to maintain confidence in the safety and reliability of the nation's stockpile without nuclear testing. This program must be of sufficient technical challenge to attract the high-quality scientific and technical talent needed for future stewardship of the stockpile.

Substantial advances in experimental and computational capabilities are needed to fill in those areas of nuclear weapon science that are incomplete, particularly gaps in our understanding of physics and gaps in the data needed for computational simulations of weapons performance and model-based assessments of safety and reliability. Upgraded or new experimental capabilities are required to validate improved or new computational models.

Without these enhanced capabilities, the Department will lack the ability to evaluate some safety and reliability issues, which could significantly affect the stockpile. It is also possible that, without these enhanced capabilities, the Department would not be able to certify the acceptability of weapons components that had been repaired or modified to address future safety or reliability issues.

The capabilities needed by the Department to carry out its Stockpile Stewardship responsibilities are described below, along with a brief description of proposed facilities for each capability.

Primary Physics Issues. The study of issues related to the safety and reliability of the primary portion of nuclear weapons. Issues include physics validation, material behavior, improved understanding of implosion, and ability to assess age-related defects. The facilities proposed or under consideration are:

Contained Firing Facility. An addition to the Flash X-Ray hydrodynamic test facility at LLNL, this facility would provide hydrodynamic test capabilities and new diagnostics for improved studies of the behavior of weapons material. The PEIS will contain a full evaluation for site-specific construction and operational impacts.

Advanced Hydrotest Facility. If proposed, this facility would provide up to eight radiographic views of the primary's implosion symmetry. In the longer term, this facility may be essential for assuring weapon reliability and safety without nuclear testing.

Secondary Physics Issues. The study of issues related to the safety and reliability of the secondary portion of nuclear weapons. Issues include physics validation, material behavior, improved understanding of thermonuclear ignition, and ability to assess age-related defects. Some of these facilities may also investigate physics phenomena that relate to primaries. The facilities proposed or under consideration are:

National Ignition Facility (NIF). This facility would make it possible in the laboratory, for the first time ever, to study radiation physics in a regime close to that of nuclear weapon detonations. The PEIS will contain a full evaluation for site selection, and for site-specific construction and operational impacts.

High Explosive Pulsed-Power Facility (HEPPF). If proposed, the HEPPF would provide experimental capabilities for

studying secondary physics issues at shock pressures and velocities approaching those of actual weapon conditions.

Atlas Facility. The Atlas Facility at LANL would be used for hydrodynamic experiments to resolve issues related to boost-gas mixing and other primary physics, and improving the predictive capabilities related to the aging, reliability, and performance of secondaries. The facility builds on special existing equipment at LANL. The PEIS will contain a full evaluation for site-specific construction and operational impacts.

X-Ray Hardness. The study of radiation-effects science and materials certification. The facility under consideration is:

Jupiter Facility. If proposed, Jupiter would provide an x-ray environment to enhance the ability to certify that critical weapon components meet military requirements for x-ray hardness.

Computational Capabilities. To handle simulations of weapon performance and assessments of weapons safety without underground nuclear testing, improved computational capabilities are needed. However, because there are not expected to be any environmental impacts from this activity, the PEIS is not expected to provide any assessment of these capabilities.

PEIS Alternatives. Preliminary Stockpile Management and Stockpile Stewardship alternatives have been developed for public comment and are described below.

Stockpile Management. The PEIS will assess the alternatives for conducting the Stockpile Management mission. Based upon the capabilities and facilities that already exist in the Complex, no major new production facilities are currently proposed. Instead, the PEIS will evaluate upgrading and/or downsizing facilities at the sites where the Stockpile Management capabilities are currently located, as well as transferring the functions to other sites which have existing facilities that could be modified to perform the capability. Based upon an evaluation of the existing capabilities and facilities at the sites in the Complex, the following matrix of proposed alternatives has been developed for Stockpile Management:

Capability	Site alternatives							
	KCP	LANL	LLNL	NTS	Y–12	PX	SNL	SRS
Weapons assembly/disassembly				X		X		
Nonnuclear components	X	X	X				X	
Nuclear components:								
—Pit reuse (minor)		X		X		X		X
—Replacement pit fabrication and reuse (major)		X						X
—Secondaries and cases		X	X		X			
High explosives components		X	X			X		

In addition, the PEIS will also evaluate the no action alternative. For Stockpile Management, no action is described by the following matrix:

Capability	Sites							
	KCP	LANL	LLNL	NTS	Y–12	PX	SNL	SRS
Weapons assembly/disassembly						X		
Nonnuclear components	X	X					X	
Nuclear components:								
—Replacement pit fabrication and reuse (major)		X	X					
—Secondaries and cases					X			
High explosives components						X		

Stockpile Stewardship. The PEIS will assess the alternatives for conducting the Stockpile Stewardship mission. New facilities and upgraded facilities that will enable the Department to maintain confidence in the safety and reliability of the stockpile in the absence of underground nuclear testing will be assessed in the PEIS. Because the nuclear weapons testing mission has always been a primary responsibility of the weapons laboratories and the NTS, the Department does not believe it is reasonable to expand the stockpile stewardship mission to other sites. Therefore, only the three weapons laboratories (LANL, LLNL, and SNL) and the NTS are expected to be considered for new Stockpile Stewardship facilities. This is also consistent with one of the Stockpile Stewardship program's main purposes to preserve the core intellectual and technical competencies of the weapons laboratories. Because there is currently a moratorium on underground nuclear testing, and because the nation is pursuing a Comprehensive Test Ban Treaty, the Department has not made a decision whether it is reasonable to include underground nuclear testing as an alternative in the SSM PEIS to fulfill the Stockpile Stewardship mission. Comments on this issue are specifically invited during the scoping period.

The following matrix of proposed alternatives and facilities under consideration for proposal has been developed for Stockpile Stewardship:

Capability	Facility	Site alternatives			
		LANL	LLNL	NTS	SNL
Primary physics issues	Contained firing facility	.....	X	.....	.....
Primary physics issues	Advanced hydrotest facility	X	X	X	X
Secondary physics issues	National ignition facility	X	X	X	X
Secondary physics issues	High explosive pulsed-power facility	X	X	X	X
Secondary physics issues	Atlas facility	X	.....	.....	.....
X-Ray hardness	Jupiter facility	X	X	X	X

Of these facilities, the Advanced Hydrotest Facility, the High Explosive Pulsed-Power Facility, and the Jupiter Facility are under consideration for proposal in the SSM PEIS. The Department may elect to proceed with only some of the facilities in this matrix.

The PEIS will also evaluate the no action alternative of not constructing new facilities or upgrading existing facilities. For Stockpile Stewardship, no action is described by the following matrix:

Capability	Facility	Sites			
		LANL	LLNL	NTS	SNL
Primary physics issues	Hydrotest facilities	X	X	X	.....
Secondary physics issues	NOVA	.....	X	.....	.....
Secondary physics issues	Pegasus	X	.....	.....	.....
Radiation hardness	Test facilities	.....	.....	.....	X

Site-Specific NEPA Reviews. The SSM PEIS will provide a programmatic assessment of environmental impacts to support programmatic decisions to: (1) identify the future missions of the SSM program; and (2) determine the facility locations. More detailed project-specific and site-specific NEPA analyses for individual activities and facilities generally would tier from the PEIS as necessary to implement the PEIS decisions. However, for the NIF, the Contained Firing Facility (CFF), and the Atlas Facility, the PEIS will include both a programmatic assessment, and a site-specific assessment of the construction and operation impacts at the reasonable candidate sites. The programmatic assessment will consider the cumulative and synergistic impacts associated with siting these facilities, and will provide a basis for deciding whether to proceed with the facilities. For NIF, the programmatic assessment will also provide a basis for selecting a site for NIF since there are four candidate sites for that facility. However, for the CFF at LLNL, which is an upgrade to an existing facility, and for the Atlas Facility at LANL, which builds on special existing equipment at LANL, there are no alternative sites. If a decision is made to proceed with the NIF, CFF, or the Atlas Facility, the site-specific analyses in the SSM PEIS would provide the necessary NEPA analysis to decide where on the selected site to construct the facility, if relevant, and how to operate it.

Relationship to Other DOE NEPA Activities. In addition to the SSM PEIS, the Department is currently conducting NEPA reviews of other activities. The relationship between the SSM PEIS and other relevant major NEPA documents is discussed below.

Site-Wide EISs. DOE is currently preparing site-wide EISs for the Pantex Plant, NTS, and LANL. The site-wide EISs will address continued operations for current and reasonably foreseeable program missions at these sites. Programmatic issues such as what long-term capabilities are required to carry out DOE's Stockpile Stewardship and Management program, and the location for these long-term capabilities, will be addressed in the SSM PEIS.

Waste Management PEIS. This PEIS is analyzing alternatives for the long-term management and safe treatment, storage, and disposal of radioactive, hazardous, and mixed wastes. The SSM PEIS will assure that all wastes generated as a result of SSM activities are compatible with treatment, storage, and disposal decisions resulting from the Waste Management PEIS.

Storage and Disposition of Weapons Usable Fissile Material PEIS. This PEIS is analyzing alternatives for the long-term storage of all weapons-usable fissile materials, primarily plutonium and highly enriched uranium (HEU), and the disposition of excess plutonium. There is a potential overlap with the SSM PEIS regarding storage of strategic reserves of plutonium and HEU. Preparation of these PEISs will be closely coordinated to prevent conflicting analysis and to ensure that an appropriate decision on strategic reserve storage is reached.

Interim Actions. Two proposals that are within the scope of the SSM PEIS will proceed to separate Records of Decision, in accordance with Council on Environmental Quality regulations for interim actions (40 CFR 1506.1). These are the Dual-Axis Radiographic Hydrodynamic Test (DARHT) Facility EIS, and the Tritium Supply and Recycling PEIS. In the case of the DARHT EIS, DOE will continue with its ongoing hydrodynamic testing program and has proposed to provide an enhanced hydrodynamic test capability in the near term regardless of the decisions to be made following this SSM PEIS. In the case of the Tritium Supply and Recycling PEIS, DOE needs to establish a long-term tritium supply regardless of the decisions to be made following this SSM PEIS. Thus, the DOE's decisions regarding these two proposals would not prejudice the outcome of the SSM PEIS.

Scoping Meetings. Public scoping meetings will be held at each site that may be affected by the proposed action. The interactive scoping meetings will provide the public with an opportunity to present comments, ask questions, and discuss concerns regarding SSM activities with DOE officials, and for the Department to receive oral and written comments on the scope of the PEIS. Input from the scoping meetings will assist DOE in formulating the Implementation Plan for the SSM PEIS and refining PEIS alternatives. The locations, dates, and starting times for these public meetings are as follows:

Lawrence Livermore National Laboratory—June 29, 12:00 noon and 6:00 p.m., Villa

Tassajara, 6363 Tassajara Road, Pleasanton, CA 94566.
Sandia National Laboratory—July 11, 12:00 noon and 6:00 p.m., Albuquerque Convention Center, 401 Second Street, N.W., Albuquerque, NM 87102.
Los Alamos National Laboratory—July 13, 12:00 noon and 6:00 p.m., Fuller Lodge, 2132 Central Avenue, Los Alamos, NM 87544.
Kansas City Plant—July 18, 9:00 a.m. and 6:00 p.m., Rockhurst College, Massman Hall, 1100 Rockhurst Road, 53rd & Troost, Kansas City, MO 64110.
Pantex—July 20, 12:00 noon and 7:00 p.m., Sunset Convention Center, 3601 West 15th, Amarillo, TX 79102.
Y–12, Oak Ridge—July 25, 12:00 noon and 6:00 p.m., Pollard Auditorium, Badger Avenue, Oak Ridge, TN 37830.
Savannah River Site—July 27, 12:00 noon and 6:00 p.m., The Aiken Municipal Center, 214 Park Avenue, S.W., Aiken, SC 29801.
Nevada Test Site—August 3 & 4, August 3: 6:00 p.m. and August 4: 8:30 a.m., Community College of Southern Nevada/ Cheyenne Campus, 3200 East Cheyenne Avenue, North Las Vegas, NV 89030.

Scoping Meeting Format. The Department intends to hold a plenary session at the beginning of each scoping hearing in which DOE officials will more fully explain the framework for the proposed SSM program, including preliminary alternatives for Stockpile Management, Stockpile Stewardship, and the NIF project. Following the plenary session, the Department intends to discuss relevant issues in more detail. Each scoping meeting is expected to last approximately three to four hours.

Issued in Washington, D.C. this 9th day of June 1995, for the United States Department of Energy.

Peter N. Brush,

Principal Deputy Assistant Secretary Environment, Safety and Health.

[FR Doc. 95–14544 Filed 6–13–95; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Docket No. EG95–54–000, et al.]

Entergy Power Holding I, Ltd., et al.; Electric Rate and Corporate Regulation Filings

June 7, 1995.

Take notice that the following filings have been made with the Commission:

1. Entergy Power Holding I, Ltd.

[Docket No. EG95–54–000]

Take notice that on June 1, 1995, Entergy Power Holding I, Ltd., Three Financial Centre, Suite 210, 900 South Shackleford Road, Little Rock, Arkansas 72211, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Section 32(a)(1) of the Public Utility Holding Company Act of 1935, as amended by Section 711 of the Energy Policy Act of 1992.

According to its application, Entergy Power Holding I, Ltd. (Applicant) is a corporation that seeks wholesale generator status with regard to its investment in eligible facilities in Pakistan and India. The Pakistani facilities consist of four 323 MW oil-fired generating units located in the province of Balochistan, approximately 40 kilometers northwest of Karachi. The Indian facilities consist of an approximately 695 MW distillate oil-fired electric generating facility located in the State of Maharashtra. Applicant states that it also seeks assurances that it may engage in various project development activities and may acquire interests in additional project companies and operating companies.

Comment date: June 26, 1995, in accordance with Standard Paragraph E at the end of this notice.

2. United States Department of Energy—Bonneville Power Administration

[Docket No. EF95–2101–000]

Take notice that on June 5, 1995, the Bonneville Power Administration (BPA) tendered for filing proposed rate adjustments for its charges under the Pacific Northwest Coordination Agreement (PNCA) pursuant to Section 7(a)(2) of the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839e(a)(2). BPA seeks interim approval of its proposed revised PNCA rates effective August 4, 1995, pursuant to § 300.20 of the Commission's regulations, 18 CFR 300.20. BPA seeks interim approval of the revised PNCA rates pending review of BPA's 1995 Wholesale Power and Transmission Rates to be filed on or before August 1, 1995. BPA will then request final approval of the revised PNCA rates pursuant to § 300.21 of the Commission's regulations, 18 CFR 300.21, and continuing until such time as a party to the PNCA requests Commission approval of revised charges.

The proposed increases to the respective charges under the PNCA are uniform charges for all parties to the PNCA. All of the charges are based on negotiations among all parties to the PNCA, held under Section 14(j) of the Coordination Agreement.

Comment date: June 19, 1995, in accordance with Standard Paragraph E at the end of this notice.

3. Allegheny Generating Company

[Docket Nos. ER92–242–001, EL92–10–001, and EL94–24–002]

Take notice that on May 2, 1995, Allegheny Generating Company tendered for filing its refund report in the above-referenced dockets.

Comment date: June 21, 1995, in accordance with Standard Paragraph E at the end of this notice.

4. Jersey Central Power & Light Company, Metropolitan Edison Company, Pennsylvania Electric Company

[Docket No. ER95–276–001]

Take notice that on April 5, 1995, Jersey Central Power & Light Company, Metropolitan Edison Company and Pennsylvania Electric Company tendered for filing its compliance filing in the above-referenced docket.

Comment date: June 21, 1995, in accordance with Standard Paragraph E at the end of this notice.

5. Peak Energy, Inc.

[Docket No. ER95–379–001]

Take notice that on May 22, 1995, Peak Energy, Inc. (Peak Energy) filed certain information as required by the Commission's letter order issued February 24, 1995, in Docket No. ER95–379–000. Copies of Peak Energy's informational filing are on file with the Commission and are available for public inspection.

6. Boston Edison Company

[Docket Nos. ER95–773–000, ER95–774–000 and ER95–775–000]

Take notice that on June 2, 1995, Boston Edison Company (Edison) tendered for filing First Revised Page No. 1 to Schedule III of its Original Volume No. 6, Power Sales and Exchange Tariff (Tariff). Boston Edison also filed Certificates of Concurrence for Electric Clearinghouse, Inc., ENRON Power Marketing, Inc., and Louis Dreyfus Electric Power Inc. The Revised Page No. 1 updates the cost informational originally filed with the Tariff.

Edison states that it has served a copy of this filing on all parties with Service Agreements under the Tariff and with the Massachusetts Department of Public Utilities.

Comment date: June 21, 1995, in accordance with Standard Paragraph E at the end of this notice.

7. Idaho Power Company

[Docket No. ER95–821–000]

Take notice that on May 22, 1995, Idaho Power Company tendered for filing an amendment to its March 30,